



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 16099

PERMIT 10096

LICENSE 6244

THIS IS TO CERTIFY, That

R. L. Deller

Route 1, Box 174 Notice of Assignment (Over)
Galt, California

has made proof as of November 9, 1960,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Cosumnes River in Sacramento County

tributary to Mokelumne River thence San Joaquin River

for the purpose of irrigation use
under Permit 10096 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from October 18, 1954,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed thirty-nine hundredths (0.39)
cubic foot per second to be diverted from about June 1 to about September 1 of
each year.

The equivalent of such continuous flow allowance for any thirty-day period may
be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located :

North two hundred seventy (270) feet and east two thousand five hundred (2500)
feet from center of projected Section 27, T5N, R5E, MDB&M, being within SE $\frac{1}{4}$ of
NE $\frac{1}{4}$ of said projected Section 27.

A description of the lands or the place where such water is put to beneficial use is as follows:

2.5 acres within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 27, T5N, R5E, MDB&M
5.0 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 27, T5N, R5E, MDB&M
2.5 acres within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 27, T5N, R5E, MDB&M
35.0 acres within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 27, T5N, R5E, MDB&M
45.0 acres total, as shown on map filed with State Water Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

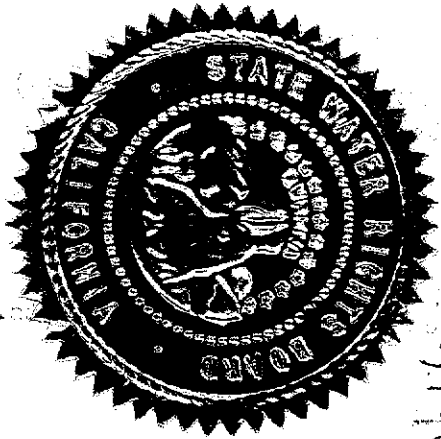
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 11 1961



L. K. Hill
L. K. HILL
Executive Officer

10-9-64 RECEIVED NOTICE OF ASSIGNMENT TO Leonard L. Shelley
E. R. Balson, Opal W. Balson &
Shorabwood

10-9-64 RECEIVED NOTICE OF ASSIGNMENT TO Lawrence F. & Berne
Balson

10-9-64 RECEIVED NOTICE OF ASSIGNMENT TO Charles P. & Ruth
Caldani

4-2-86 Ownership Chg'd to Stockton Production Credit Assn.

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LICENSE 6244
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO R. L. Deller

DATED APR 11 1961

6545 10-59 3M ① 570

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 16099PERMIT 10096LICENSE 6244ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS License 6244 was issued to R. L. Deller and was recorded with the County Recorder of Sacramento County on April 12, 1961, and

WHEREAS said license was subsequently assigned to Charles P. Coldani and Ruth Coldani, and

WHEREAS the State Water Rights Board has found that the change in point of diversion under said license for which petition was submitted on November 16, 1965, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said point of diversion in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 6244 to a point of diversion described as follows, to wit:

NORTH FIFTY (50) FEET AND WEST TWO THOUSAND FIVE HUNDRED (2500) FEET FROM SE CORNER OF SECTION 22, T5N, R5E, MDB&M, BEING WITHIN SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SAID SECTION 22.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 6th day of June, 1966

L. K. Hill

L. K. Hill
Executive Officer



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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 16099 PERMIT 10096 LICENSE 6244

ORDER ALLOWING CHANGE
IN PURPOSE OF USE,
POINT OF DIVERSION
AND AMENDING THE LICENSE

WHEREAS:

1. License 6244 was issued to R.L. Deller and was filed with the County Recorder of Sacramento County on April 12, 1961.
2. License 6244 was subsequently assigned to The Nature Conservancy.
3. An Order allowing change in point of diversion was granted on June 6, 1966 and has been recorded with the county Recorder of Sacramento County on June 8, 1966 in Document 46115, Book 66-06-08, Page 943.
4. A petition for change in purpose of use and point of diversion has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
5. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
6. The license condition pertaining to the continuing authority of the Board does not conform to the current common law public trust doctrine contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:
Irrigation and Wildlife Protection and Enhancement

(0000003)

2. The points of diversion under this license shall be as follows:

Point of Diversion #1 - North five hundred (500) feet and West nine hundred and fifty (950) feet from the center of projected Section 27, T5N, R5E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 27, also described as California Coordinate System, Zone 2, N 215,100 and E 2,166,000.

Point of Diversion #2 - North two hundred and seventy (270) feet and East seven hundred and forty (740) feet from the center of projected Section 27, T5N, R5E, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 27, also described as California Coordinate System, Zone 2, N 214,800 and E 2,167,700. (0000002)

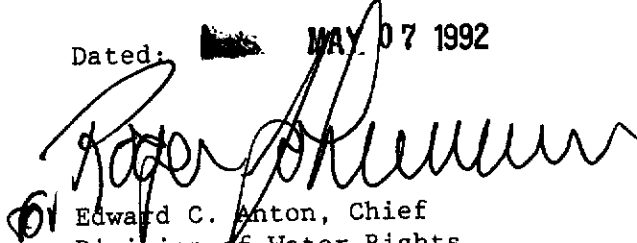
3. The continuing authority conditions under this license be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: MAY 07 1992


Edward C. Anton, Chief
Division of Water Rights

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